ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

OVH v. Domain Management, Oceanside Capital Corp.
Case No. D2026-0815

1. The Parties

The Complainant is OVH, France, internally represented.

The Respondent is Domain Management, Oceanside Capital Corp., United States of America (“United States”), represented by Namestar, United States.

2. The Domain Name and Registrar

The disputed domain name <0vh.com> is registered with Name.com, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 25, 2026. On February 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 26, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Redacted For Privacy, Domain Protection Services, Inc.) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 27, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on March 4, 2026.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on March 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 29, 2026. The Response was filed with the Center on March 29, 2026.

The Center appointed Steven A. Maier as the sole panelist in this matter on April 1, 2026. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

On April 20, 2026, the Panel issued Procedural Order No. 1, further reference to which is made below. On April 27, 2026, the Complainant submitted its reply to the Order.

4. Factual Background

The Complainant is a simplified limited company located in France. It is a provider of cloud computing, web hosting and telecommunications services. The Complainant was founded in 1999, its name deriving from the French term "On Vous Héberge" ("We Host You" in English). It was listed on the Euronext Paris stock exchange in October 2021.

The Complainant is the owner of the following trademark registrations:

- French trademark registration number 99807080 for the word mark OVH, registered on August 4, 1999, in International Classes 35, 38, and 41;

- European Union trademark registration number 005370796 for the word mark OVH, registered on September 13, 2007, in International Classes 9, 35, 36, 38, 39, 41, and 42; and

- International trademark registration number 1085468 for the word mark OVH, registered on August 5, 2010, in International Classes 9, 35, 36, 38, 39, 41, and 42, designating different jurisdictions, including the United States.

The Complainant operates a website at "www.ovhcloud.com", and also owns the domain name <ovh.com>, which redirects to that website.

The disputed domain name was registered on December 8, 2003.

The Complainant exhibits evidence that, on February 25, 2026, the disputed domain name resolved to a page at "www.namestar.com" offering the disputed domain name for sale at a "Buy it now" price of USD 10,000.

Neither of the Parties provides a comprehensive history of the use of the disputed domain name between December 2003 and February 2026. However, based on the Panel's review of material available at "www.web.archive.org",[1] the disputed domain name appears to have resolved or redirected as follows:

- from April 13, 2004, redirection to "http://apps5.oingo.com/apps/domainpark/domainpark.cgi?cid=SMAR8224&s=0vh.com"

- between August 12, 2012, and April 3, 2013, to links to a variety of products for sale online, including pressure washers and electrical equipment;

- between October 2, 2016, and November 22, 2021, to a website at "www.smartbuy.com", offering consumer products including cameras, televisions and watches;

[1] As indicated in section 4.8 of WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision.

- from November 1, 2023, to a holding page operated by Sedo Domain Parking, including the disputed domain name, but not any offer for sale; and

- on March 3, 2025, to a webpage stating that the disputed domain name “may be available for purchase” and inviting enquiries.

5. Parties’ Contentions

A. Complainant

The Complainant states that it currently operates as “OVHcloud”, with 500,000 servers across 46 data centers located on four continents. It claims 1.6 million customers in over 140 countries, and provides evidence of a significant social media presence on platforms including X, LinkedIn, Facebook, YouTube and Reddit.

The Complainant contends that it has used the domain name <ovh.com> since July 1996; although its evidence submitted in that regard relates rather to <ovhcloud.com>, which was created on November 24, 2011. Based on the evidence provided by the Complainant in reply to Procedural Order No. 1, the Complainant appears to have had a presence at “www.ovh.com” since November 12, 1999.

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

The Complainant submits that the disputed domain name is virtually identical to its trademark OVH and constitutes a case of “typosquatting”. It states that the Respondent has merely substituted the character “0” for the letter “O” in the Complainant’s trademark, which has been held to constitute typosquatting in a number of previous cases under the UDRP, e.g., *Osram GmbH v. Salvia Corporation*, WIPO Case No. D2008-1046, concerning the domain name <0sram.com>.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that it has never authorized the Respondent to use its OVH trademark, and that the Respondent has never been known by that or any similar name. It contends that the Respondent has made no use of the disputed domain name for any legitimate purpose, and that its only use of it has been to offer it for sale at an obviously inflated price of USD 10,000, which cannot give rise to rights or legitimate interests for the purpose of the Policy. The Complainant adds that it is clear from the price being demanded that the Respondent is targeting the Complainant, as the owner of the corresponding trademark.

The Complainant submits that the disputed domain name was registered and is being used in bad faith. It states that the Respondent could not have been unaware of the Complainant’s OVH trademark, given the Complainant’s use of that trademark since 1999 and its international renown. It contends that its mark is distinctive in nature, and was targeted by the Respondent for typosquatting for that reason.

The Complainant submits, in particular, that the Respondent registered the disputed domain name primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name registration to the Complainant for valuable consideration in excess of its documented out-of-pocket costs directly related to the disputed domain name (paragraph 4(b)(i) of the Policy).

The Complainant states further that the Respondent did not respond to the Complainant’s communications concerning the disputed domain name, which is “consistent with cybersquatter behavior”. However, it provides no further particulars or evidence of the communications in question.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

The Respondent submits that it legitimately registered the disputed domain name in 2003, some seven years before the Complainant began to use its OVH trademark in the United States. It argues, moreover, that the Complainant has rebranded itself as OVHCloud, and did not begin to use this name in the United States until 14 years after the registration of the disputed domain name.

The Respondent exhibits a sworn declaration of Mr. Andy Tran, who is stated to be its President. Mr. Tran submits that the disputed domain name was registered for the purpose of an internal Internet security project, originally named "Zero Virus Hub". He states that a different name was chosen for this project in March 2025, at which time the Respondent decided to offer the disputed domain name for sale.

The Respondent also submits that it is legitimate to operate a business model of registering and selling generic domain names. It adds that, once a right or legitimate interest in such a domain name has been established, then an offer to sell that domain name is not evidence of bad faith.

The Respondent states that it had never heard of the Complainant when it registered the disputed domain name. It submits that Wayback Machine records for the disputed domain name do not show that it has offered any products or services similar to those offered by the Complainant. It adds that the disputed domain name resolved to a generic landing page for many years before being offered for sale. It contends that the Complainant is unable in the circumstances to demonstrate either that the Respondent was aware of its OVH trademark when it registered the disputed domain name, or that it did so with a clear aim of targeting the Complainant's trademark rights.

The Respondent points to the Complainant's delay of 22 years in bringing the present proceeding. It contends that the doctrine of laches provides an absolute bar to the Complainant's claim in these circumstances.

The Respondent requests a finding of Reverse Domain Name Hijacking against the Complainant. In addition to the delay referred to above, it contends that the Complainant knew it had no reasonable basis for commencing the claim, that it had no relevant trademark rights in the United States at the date the disputed domain name was registered, and that it has misrepresented the history of its use of the OVH and OVHCloud names.

6. Procedural Order No. 1 and Responses

Being of the view that further submissions were required from both Parties, the Panel issued Procedural Order No. 1. which in summary, directed that the Complainant:

- explain why it contends that a United States-based registrant should have been aware of its OVH trademark in 2003 (its evidence of reputation relating principally to the present day);

- explain its 22 year delay in bringing the proceeding;

- provide evidence of its communications regarding the disputed domain name to which it states the Respondent did not reply; and

- comment on the Respondent's use of the disputed domain name prior to it being offered for sale in March 2025.

The Procedural Order further directed that the Respondent:

- provide contemporaneous evidence to support the existence and original name of the "Zero Virus Hub" project, and the timing and particulars of the pivot of that project to a different name; and

- confirm whether or not Mr. Andy Tran of the Respondent is the same individual implicated (in person or via other legal entities) in three prior adverse decisions under the UDRP, all involving domain name registrations made in 2003 or 2004.

A. Complainant

As to its reputation in the United States in 2003, the Complainant relies principally upon its French trademark registration, and its having maintained a fully operational e-commerce website at "www.ovh.com" since November 1999. It also refers to a German-language website which appears to have been active at that URL in October 1999; although it does not appear to claim any direct connection with that website.

The Complainant maintains that its trademark OVH is distinctive. It states that: "a search for 'OVH' on any internet search engine in December 2003 would have returned results exclusively or overwhelmingly relating to the Complainant's web hosting business" (although it exhibits no evidence in that regard), and that the Respondent should have been aware of this as a domain name investor.

The Complainant submits that it brought the present proceeding as soon as it was made aware of the disputed domain name, via a trademark monitoring system, in December 2025. It states that, during the previous 22 years: "the domain name existed without causing any visible or direct harm to the Complainant, and without the Complainant's knowledge". It adds that, prior to 2025, the Respondent's use of the disputed domain name to resolve, e.g., to parking pages: "did not rise to the level of a targeted act against the Complainant".

The Complainant acknowledges that it did not attempt to communicate with the Respondent prior to commencing the present proceeding, and that its statement that the Respondent had failed to reply to such communications was inaccurate.

The Complainant contends that the Respondent's explanation, that the disputed domain name was registered for a "Zero Virus Hub" project, is not supported by any evidence or by any previous use of the disputed domain name. It asserts that the logical choice of a domain name for any such project would in any event have been "ZVH" and not "0VH".

The Complainant makes additional submissions which are beyond the (expressly limited) scope of the Procedural Order, but which would not have affected the outcome of the proceeding in any event.

B. Respondent

The Respondent did not respond to the Procedural Order.

7. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are that:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name: WIPO Overview 3.1, section 1.7.

The Complainant has established that it is the owner of registered trademark rights in the mark OVH. The disputed domain name is highly similar to that trademark, differing only by the inclusion of the character "0", as opposed to the letter "O", which results in itself in a high degree of visual similarity between the disputed domain name and the trademark and thus, the trademark is recognizable within the disputed domain name.

The Panel therefore finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving that a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. WIPO Overview 3.1, section 2.1.

The Panel considers the Complainant to have made out prima facie case in respect of the second element.

In response, the Respondent claims to have registered the disputed domain name in 2003 for the purpose of an internal web security project named "Zero Virus Hub", and to have renamed that project in 2025, at which time it decided to offer the disputed domain name for sale. While the Panel considered that explanation to be unconvincing in the absence of supporting evidence, the Respondent failed to respond to Procedural Order No. 1, and has not therefore tendered any relevant evidence in this regard. The Panel therefore rejects the Respondent's explanation.

The Respondent also contends that it is legitimate to operate a business registering and selling (what it calls) generic domain names.

It is well established in previous decisions under the UDRP that the aggregation and sale of domain names is not an illegitimate activity per se, absent any evidence of an intention to target third-party trademark rights (WIPO Overview 3.1, section 2.1). Moreover, where such domain names consist of, e.g., acronyms, dictionary words, common phrases, or unique/catchy or memorable terms (alone or in combination), a registrant may be able affirmatively to establish rights or legitimate interests in circumstances where its uses that domain name in a manner that does not trade off the complainant's trademark (whether to host links, content, a landing or sales page, or hosting no content at all), and where there are no other indicia of cybersquatting (WIPO Overview 3.1, section 2.10).

The disputed domain name in this case consists of a three-character acronym or abbreviation, which (as discussed in further detail below) does not appear to have been registered or used in manner that targeted or has taken unfair advantage of the Complainants trademark rights. As observed in section 2.10 of WIPO Overview 3.1, where there are no indicia of cybersquatting, it is not strictly necessary for a respondent to demonstrate a specific use of the disputed domain name which corresponds to a dictionary meaning. The

Panel does not consider that the mere similarity between the disputed domain name and the Complainant's trademark to be a significant indicator of cybersquatting in this case, given the limited reputation of the Complainant's trademark at the date the disputed domain name was registered, as considered further below. In particular, the Panel finds that there were other legitimate uses to which the disputed domain name could conceivably be put at that date, independent of the Complainant's trademark rights.

However, in view of the Panel's findings under the third element, the Panel considers it is not necessary to determine the issue of the Respondent's rights or legitimate interests in the disputed domain name.

C. Registered and Used in Bad Faith

In order to demonstrate bad faith for the purpose of the Policy, the Complainant must demonstrate both that the Respondent knew, or should have known, of the Complainant's trademark at the time the disputed domain name was registered, and that the Respondent registered and has used the disputed domain name in a manner that has targeted and has taken unfair advantage of the Complainant's trademark rights.

The Panel does not find these factors to have been established in this case.

While the Complainant has provided substantial evidence of its international profile and reputation as at the date of the Complaint, it has not satisfied the Panel that it had sufficient profile or reputation in 2003 that the Respondent, which is located in the United States, was or should have been aware of its OVH trademark at the date the disputed domain name was registered. The Complainant's evidence in this regard is limited, in essence, to the existence of its French trademark and to the operation of an early e-commerce website at "www.ovh.com". Certainly, the Panel does not find the Complainant's trademark to have been so distinctive or well known in 2003 that the disputed domain name could only reasonably be assumed to be targeting that trademark.

Furthermore, the Panel takes issue with the Complainant's conclusory assertion that any Internet search in December 2003 would have produced results relating exclusively or overwhelmingly to the Complainant. Not only does the Complainant provide no evidence in support of this assertion, but the Panel's own Google search against the term "OVH", time-limited to December 2003, did not appear to return *any* references to the Complainant within the first several pages of results.

Nor is the Respondent's use of the disputed domain name since registration indicative of an intention to target the Complainant's trademark, whether by way of "typosquatting" or otherwise. The disputed domain name does not appear at any time to have resolved to, e.g., services competitive with, or liable to be confused with, those of the Complainant, or otherwise to have generated revenues for the Respondent based on any such potential confusion. Nor is there any suggestion of, e.g., the improper use of emails configured upon the disputed domain name. Indeed, the Complainant itself admits that it was wholly unaware of the disputed domain name until December 2025, that: "the domain name existed without causing any visible or direct harm to the Complainant, and that the Respondent's use of the disputed domain name: "did not rise to the level of a targeted act against the Complainant" prior to it being offered for sale.

As to the Respondent's asking price of USD 10,000 for the disputed domain name, as advertised in February 2026, this is not a factor that can inform any conclusions as to the Respondent's intentions at the time it registered the disputed domain name some 22 years previously. Hence, even if the Complainant were the only likely purchaser of the disputed domain name at that price at the present time (which has not been established), that would not assist the Complainant in demonstrating registration of the disputed domain name in bad faith.

Concerning the 22 year period between the registration of the disputed domain name and the commencement of this proceeding, the Respondent is wrong to say that the doctrine of laches provides an absolute bar to the Complainant's claim. However, panels under the UDRP have acknowledged that a lengthy delay in bringing proceedings can make it more difficult for a complainant to provide satisfactory evidence and otherwise to establish a case on the merits.

In summary, the Panel finds that the Complainant has failed to meet its burden of proving, on the balance of probabilities, that the Respondent registered and has used the disputed domain name with the intention of taking unfair advantage of the Complainant's OVH trademark. In particular, the Panel does not find there to be evidence that the Respondent was, or ought to have been, aware of the Complainant's trademark at the date it registered the disputed domain name, or that the Respondent's use of the disputed domain name for the 22 years following registration provides any evidence of the targeting of that trademark.

The Panel takes note of the three prior adverse UDRP findings involving Mr. Andy Tran or associated entities, and the fact that all of these concerned registrations made in 2003 or 2004. The Panel considers that this factor reflects negatively upon the Respondent, as does its unsupported explanation for the registration of the disputed domain name, and its failure to respond to Procedural Order No. 1. While the Panel finds the Respondent's improbable explanation for its registration of the disputed domain name to be suggestive of bad faith at the time of Response, this does not materially alter the Panel's view of the position as at the date the disputed domain name was registered. The Panel does not therefore find that these matters dictate a different outcome to this case, in circumstances where the Complainant has failed to provide sufficiently persuasive evidence to support its claim that the disputed domain name was registered, and has been used, with the intention of targeting its trademark rights.

The third element under the Policy has not therefore been established.

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute Reverse Domain Name Hijacking. WIPO Overview 3.1, section 4.16.

The Panel finds there to be a number of factors that would support a finding of Reverse Domain Name Hijacking in this case.

Most significantly, while the disputed domain name may be highly similar to the Complainant's trademark, the Complainant has failed to produce sufficient evidence that the Respondent knew, or ought to have known, of its trademark in 2003. While the Complainant had a French trademark registration from 1999, it had no United States registration until 2010, and there is no evidence of it having any commercial presence in the United States at the date the disputed domain name was registered.

The Complainant's submissions in support of its reputation in 2003 are also unsatisfactory. It refers, for example, to a German-language website which it does not appear to have been connected. More seriously, it makes a conclusory assertion that any Internet search in December 2003 would have produced results relating exclusively or overwhelmingly to the Complainant: however, not only does it produce no evidence in support of that contention, but it appears from the Panel's own enquiries to be fundamentally incorrect, which suggests that the assertion was made recklessly and without verification.

On a similar note, the Complainant has retracted under questioning its allegation that the Respondent had never responded to pre-action correspondence, which it claimed was "consistent with cybersquatter behavior". This allegation was clearly intended to damage the Respondent's credibility, and the Panel considers this to be a serious matter, particularly in circumstances where the Complainant is legally (albeit internally) represented and has certified that the information contained in the Complaint was complete and accurate to the best of its knowledge.

Set against these matters, the disputed domain name is highly similar (indeed almost visually identical) to the Complainant's OVH trademark, and the Complainant had a French trademark and website at "www.ovh.com"

at the date the disputed domain name was registered. While the Complainant has been unable to establish the targeting of its trademark, its suspicion of "typosquatting" upon its discovery of the disputed domain name is understandable (albeit the very lengthy period that had passed since registration). The fact that the Respondent (or connected entities) had also been implicated in a number of prior adverse findings under the UDRP could also reasonably support an impression of bad faith on the Respondent's part.

In the circumstances, the Panel declines to conclude that the Complaint was brought in bad faith.

8. Decision

For the foregoing reasons, the Complaint is denied.

/Steven A. Maier/
Steven A. Maier
Sole Panelist
Date: May 9, 2026